

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
UNITED STATES OF AMERICA	:	<u>FINAL ORDER OF FORFEITURE</u>
-v.-	:	
	:	06 Cr. 1173 (SHS)
MOISES ZAYA-ROJO,	:	
	:	
Defendant.		
-----	X	

WHEREAS, on or about February 14, 2012, the Court entered a Preliminary Order of Forfeiture as to Specific Property (the “Preliminary Order of Forfeiture”) (D.E. 104), which ordered, the forfeiture to the United States of all right, title and interest of MOISES ZAYA-ROJO (the “Defendant”) in, *inter alia*, the following property:

- a. One 2002 BMW X5 bearing Vehicle Identification Number SUXFB33522LH35272;
- b. One 1998 Lexus GS 400 bearing Vehicle Identification Number JT8BH68X7W0003782; and
- c. One 2003 Mercury Marauder bearing Vehicle Identification Number 2MEHM75VS3X643095.

(a. through c., collectively, the “Specific Property”);

WHEREAS, the Preliminary Order of Forfeiture directed the United States to publish, for at least thirty (30) consecutive days, notice of the Preliminary Order of Forfeiture, notice of the United States’ intent to dispose of the Specific Property, and the requirement that any person asserting a legal interest in the Specific Property must file a petition with the Court in accordance with the requirements of Title 21, United States Code, Sections 853(n)(2) and (3). The Preliminary Order of Forfeiture further stated that the United States could, to the extent practicable, provide direct written notice to any person known to have an alleged interest in the Specific Property and as a substitute for published notice as to those persons so notified;

WHEREAS, the provisions of Title 21, United State Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, require publication of a notice of forfeiture and of the Government's intent to dispose of the Specific Property before the United States can have clear title to the Specific Property;

WHEREAS, the Notice of Forfeiture and the intent of the United States to dispose of the Specific Property was posted on an official government internet site (www.forfeiture.gov) beginning on March 14, 2012 for thirty (30) consecutive days, through April 12, 2012, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions and proof of such publication was filed with the Clerk of the Court on February 21, 2019 (D.E. 141);

WHEREAS, on or about March 13, 2012, notice of the Preliminary Order of Forfeiture was sent by certified mail, return receipt requested, to:

Erika McDaniel Edwards, Esq.
Donaldson, Chilliest & McDaniel, LLP.
103 East 125th Street
New York, N.Y. 10035

Curtis Farber, Esq.
Curtis Jordan Farber
350 Broadway, 10th floor
New York, N.Y. 10013

Lee Alan Ginsberg, Esq.
Freeman, Nooter & Ginsberg
30 Vesey Street, Suite 100
New York, N.Y. 10007

Ismael Gonzalez, Esq.
Ismael Gonzalez & Associates, LLC.
53 West 36th Street, Suite 605
New York, N.Y. 10018

Donna Rita Newman, Esq.
111 Broadway, Suite 1805
New York, NY 10001

Sabrina P. Shroff, Esq.
350 Broadway
New York, N.Y. 10013

William L. Summers, Esq.
Summers & Vargas Co. L.P.A.
55 Public Square, 2000 Illuminating Bldg.
Cleveland, O.H. 44113

Peter Nicolas Tsapatsaris, Esq.
Federal Defenders of New York Inc. (NYC)
52 Duane Street, 10th floor
New York, N.Y. 10007

(the “Noticed Parties-1”);

WHEREAS, on or about November 13, 2018, notice of the Preliminary Order of Forfeiture was sent via Federal Express to:

Abby Auto
4608 Torresdale Ave
Philadelphia, PA 19124

Unique Motors, Inc.
4530 Torresdale Ave
Philadelphia, PA 19124

(the “Noticed Parties-2”, collectively with the Noticed Parties-1, “the Noticed Parties”);

WHEREAS, thirty (30) days have expired since final publication of the Notice of Forfeiture and no petitions or claims to contest the forfeiture of the Specific Property have been filed;

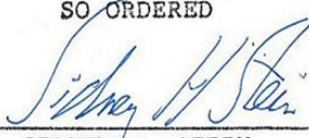
WHEREAS, the Defendant, and the Noticed Parties are the only persons and/or entities known by the Government to have a potential interest in the Specific Property; and

WHEREAS, pursuant to Title 21, United States Code, Section 853(n)(7), the United States shall have clear title to any forfeited property if no petitions for a hearing to contest the forfeiture have been filed within thirty (30) days of final publication of notice of forfeiture as set forth in Title 21, United States Code, Section 853(n)(2);

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

1. All right, title and interest in the Specific Property is hereby forfeited and vested in the United States of America, and shall be disposed of according to law.
2. Pursuant to Title 21, United States Code, Section 853(n)(7) the United States of America shall and is hereby deemed to have clear title to the Specific Property.
3. The United States Marshals Service (or its designee) shall take possession of the Specific Property and dispose of the same according to law, in accordance with Title 21, United States Code, Section 853(h).

Dated: New York, New York
August 26, 2022

SO ORDERED

SIDNEY H. STEIN
U.S.D.J.